

IRISH PARLEY FAILS, BRITAIN FEARS

To-Night's Weather—PARTLY CLOUDY.

To-Morrow's Weather—PARTLY CLOUDY.

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SUBPOENA I. R. T. DIRECTORS; REFUSE TO TESTIFY

ANOTHER BODY RECOVERED IN BROOKLYN THEATRE RUIN; OWNERS RELEASED ON WRIT

List of Dead Reaches Seven as
Prosecutor Hurries His
Inquiry.

PROMISES ARRESTS.

Sub-Contractors Quoted as
Saying Necessary Brace
Was Missing.

George Smith, of No. 1109 Manhattan Avenue, Brooklyn, one of the workmen employed in the American Theatre in Bedford Avenue, Brooklyn, the roof of which fell in yesterday, was found dead in the ruins at 10 o'clock this morning. This brings the list of known dead up to seven. It is believed there is another body hidden in the wreckage. One of the injured will probably die.

Sylvester Rosenthal of No. 1381 Pacific Street, and Samuel Moskowitz of No. 599 Putnam Avenue, owners of the property and also the builders in charge of the work, were arraigned in Gates Avenue Police Court today and held without bail by Magistrate Lota on a charge of criminal negligence. The charge was sworn to on information and belief by Detective Robert Daley.

Counsel representing Rosenthal and Moskowitz appeared before Justice Kelly in the Supreme Court at noon and obtained a writ of habeas corpus by virtue of which the two accused builders were admitted to bail in \$15,000 each. Bonds were furnished by a surety company.

Other arrests were promised before night by District Attorney Lewis. One of his assistants took possession of the blue prints in the office of Rosenthal and Moskowitz.

Confusion as to the number of victims for hours after the accident appears to have been largely due to the ignorance of Moskowitz and his partner as to the number of men at work in the building. They estimated the force to be twice its actual size.

The revised list of dead is as follows:

STONE, THOMAS, 35, No. 666 Madison Street, West New York, N. J.

SHERIDAN, ALFRED, 30, No. 203 West 111th Street, Manhattan.

BASKIN, ISAAC, 45, No. 293 Sutter Avenue, Brooklyn.

STEIN, PHILIP, 35, No. 678 Howard Avenue, Brooklyn.

BIRNEY, CORNELIUS, 27, No. 554 West 51st Street, Manhattan.

SMITH, GEORGE, 1108 Manhattan Avenue, Brooklyn.

GUTHRIE, WILLIAM T., 30, No. 921 Farragut Street, Brooklyn.

A work card, bearing the name James Rinaldi, plasterer, of No. 330 Sackman Street, Brooklyn, was found in a sack coat in the debris early this afternoon. An overcoat, hat and vest were found with the sack coat. The name of Rinaldi has not appeared on any of the lists of killed, injured or missing as far as can be ascertained.

A young man who said his name was McNeil, but did not give his address, made inquiries at the scene of the collapse this morning, saying his

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MAUDE DELMONT IN AVENGER'S ROLE AT ARBUCKLE TRIAL

Keeps Constantly in Back-
ground and Does Much to
Hamper Actor's Defense

SAN FRANCISCO, Nov. 30.—Additional witnesses in rebuttal were in court today, ready to take the stand for the prosecution in the Roscoe Arbuckle case. The defense then will counter with sur-rebuttal testimony. The entire day will be occupied in this procedure and, as each side is to be allotted at least four hours for final argument, it is apparent the case will not be placed in the hands of the jury before late to-morrow or Friday.

There was considerable speculation at the opening to-day as to whether Bambina Maude Delmont, who swore to the charge of manslaughter on which Arbuckle is now being tried for the death of Virginia Rappe, would take the witness stand. Both sides admitted she would not be called if it could be avoided—but her name has been mentioned more and more by witnesses and she is being drawn closer to the stand.

Mrs. Delmont is constantly in the background. It has been brought out she dined with one State witness yesterday. She has had numerous telephone conversations with others. Although she has taken care to appear only once in court, she is in close touch with the case. She is styled as "the Avenger," and it is a known fact that she has done much to embarrass the attorneys for Arbuckle, who are trying to build up a defense that is bombproof.

A part of the crowd which usually seeks admission every morning to Arbuckle's trial was to-day diverted to the Police Court, where Mrs. Jennie Neighbors was arraigned on a charge of perjury. She was arrested late yesterday at the instance of the District Attorney, who charged that she perjured herself in Arbuckle's behalf by testifying to the alleged presence of Virginia Rappe at Wheeler's Hot Springs, a summer resort in Ventura County, Cal., in August, 1920. Two witnesses since have testified Miss Rappe was not there.

Mrs. Neighbors, who is the wife of a retired Los Angeles police officer,

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WIFE NO. 2, CHINESE, TESTIFIES FOR NO. 1

Celestial Describes Three-Week
Romance in Divorce Action.

Miss Emily J. James, a Chinese girl, of No. 312 West 48th Street, Manhattan, described in Brooklyn Supreme Court to-day her romance with Victor A. Hurst, to whom she was married last May, which ended, she said, by Hurst's confession that he had another wife. Hurst now is in the penitentiary, on conviction of bigamy.

Miss James appeared as chief witness for Mrs. Rose Hurst of St. Mark's Avenue, Brooklyn, described as the first wife of Hurst, who is seeking a divorce. She said she and Hurst had lived together about three weeks. Mrs. Rose Hurst had a daughter, Harriet, two and one-half years old.

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LANDRU VERDICT EXPECTED TO-DAY; GUILLOTINE ASKED

Jury Retires After Hearing Im-
passioned Pleas of Rival
Attorneys.

"INNOCENT," HE SAYS.

On the Case of Mme. Cuchet
Rests Fate of Alleged Slayer
of Women.

VERSAILLES, Nov. 30.—Arguments in the trial of Henri Landru, charged with murder of ten of his 285 sweethearts, were completed and the jury retired to decide his fate shortly after 6 P. M. to-day.

"I am innocent," Landru declared in a brief speech to the jury before it retired. He thanked the prosecution for the manner in which the case was conducted.

VERSAILLES, Nov. 30 (Associated Press).—A verdict in the trial of Henri Landru, charged with the murder of ten women and the son of one of them, is expected to be reached late to-night.

Forty-eight questions are asked of the jury, and the first of these, if answered in the affirmative, settles the whole case. This question is: "Do you find the accused guilty of assassinating Mme. Cuchet with premeditation?"

The second question is: "Do you find the accused's mental condition such as to attenuate his responsibility?" If this question should be answered in the affirmative, Judge Gilbert cannot sentence Landru to death, under the French law. But if the jury should answer "yes" to the first and "no" to the second there would be no option but to send the prisoner to the guillotine.

Under the French law the jury cannot recommend a convicted person to the mercy of the court, but can make recommendations to the Commission on Pardons, which in turn can approve or disapprove of referring the matter to the President of the republic.

LIVELY, NEGRO, GUILTY OF MURDER OF GIRL

Sentenced to Die Week of Jan. 10
at Trenton.

MOUNT HOLLY, N. J., Nov. 30.—Louis Lively, colored, was adjudged guilty of murder in the first degree to-day in connection with the murder on June 4 of Matilda Russo, seven years old, at Moorestown, N. J. The jury was out an hour and a half.

Supreme Court Justice Samuel Kalish sentenced Lively to die in the electric chair at State's Prison, Trenton, the week of Jan. 16.

Lively offered no defense in the trial. The State offered alleged confessions, unsigned, in which Lively admitted murdering the child. He said he struck her with a stick of wood when he found her stealing pudding in his kitchen, and had cut her throat and otherwise mutilated her because of his fear of discovery.

WHILE NATION PRAYED, THIEF ROBBED SAFE

\$500 Taken During Armistice Day
Observance—An Arrest Made.

At noon, Nov. 11, Armistice Day, when the Nation stood bowed in silent prayer, Tony Kotowaky, twenty-four, of No. 511 East 139th Street, felt need for \$100 and took advantage of the opportunity, it is alleged, to enter the soda manufacturing place of Anthony Mitchell, No. 253 East 106th Street, and open the safe, from which, the police say, he took \$500.

Early to-day Detectives John Butler and William Vachuda of the 104th Street Station, arrested a prisoner at his home on suspicion of burglary. According to the police, he admits the crime.

SUBPOENAS FOR DIRECTORS WHO REFUSE TO TESTIFY ABOUT BIG DIVIDENDS OF I. R. T.

Transit Commission Charges
"Bad Faith" in Failure to
Appear at Hearing.

WON'T WAIVE IMMUNITY

Company's Counsel Says In-
quiry as Conducted Is to En-
courage Hostile Attacks.

The Transit Commission's investigation into transit affairs took a sensational turn at the beginning of the session to-day when it was announced by James L. Quackenbush, general counsel to the Interborough, that the directors declined to appear voluntarily as witnesses.

It was stated that they refused to appear because of the alleged advantageous effect an examination concerning their financial operations with securities and dividends would have upon so-called disgruntled stock holders who, it was charged, are seeking to put the company into bankruptcy.

The announcement came as a shock to both the members of the commission and its special counsel, Clarence J. Shearn, who joined with Chairman McAneny of the commission in a scathing rebuke, charging the directors with "bad faith," and then ordering their appearance to-morrow under subpoena by virtue of Legislative power of the commission.

The directors failing to appear to-day will also be required to sign waivers of immunity, which Mr. Quackenbush announced they will refuse to do. Directors subpoenaed are August Belmont, Edward J. Berwind, Cornelius Vanderbilt Jr., Daniel G. Reid, T. De Witt Cuyler, F. De Coursey Sullivan and Morgan J. O'Brien. They were to be questioned concerning huge dividends and loans in 1917 and 1918. The subpoenas were placed in the hands of process servers.

It was learned this afternoon that Mr. Belmont, Mr. Vanderbilt, Mr. Berwind and Mr. O'Brien had been served with the subpoenas to appear before the Transit Board at 10:30 A. M. to-morrow. It is understood that the other three subpoenas were not served. Mr. Reid is said to be ill. Mr. Sullivan is trying a case in Connecticut, and Mr. Cuyler is in Washington.

STATEMENT READ BY COUNSEL
OF THE INTERBOROUGH.

Although he did not say so for the official record, Mr. Quackenbush announced to reporters before the session opened that the statement he was about to file with the commission

(Continued on Twentieth Page.)

COURT WRIT STAYS JERSEY CITY PLANS FOR NEW GAS PLANT

Two Jersey City property owners
were represented by Attorney Robert

Carey and the Public Service Gas Company by Frank Bergen before Supreme Court Justice Swayne at his home in Newark to-day on an application for a writ of certiorari in connection with the proposed municipal gas plant in Jersey City. The Justice granted the writ, which brings the case up for review by the whole Supreme Court and acts as a stay to any step by the Jersey City Commission.

The plan for a municipal gas plant was adopted in a referendum at the election this month. George L. Record, lawyer of Jersey City, and Charles C. pilgrim of Newark, opposed the motion for the writ in behalf of the Jersey City Commission. The property owners bringing the action are Arthur C. Stratford and Thomas J. Stewart.

ACTRESS WHO SAYS GOULD'S DIVORCE IS NOT VALID HERE



MRS. FRANK J. GOULD

EDITH KELLY GOULD GAINS POINT IN SUIT TO CANCEL DIVORCE

Justice Guy Awards Her
\$5,000 Counsel Fee in Fight
on French Decree.

Mrs. Edith Kelly Gould to-day won the first step in the legal proceedings she has instituted against Frank J. Gould in this country as a result of the divorce he obtained against her in France about a year ago. Justice Guy of the Supreme Court to-day signed an order granting her \$5,000 counsel fees for purposes of prosecuting her appeal from a decision dismissing her suit for separation from Mr. Gould.

It has been Mrs. Gould's contention that she is still the wife of Mr. Gould, on the ground that the decree of the French court was not operative in this country, and to test the validity of that decree Mrs. Gould has instituted a suit in this country alleging misconduct. In this action the plea of Mr. Gould that he had obtained a divorce from his wife in France was sustained.

An appeal from this decision was taken to the Appellate Division, but no decision has as yet been rendered. When the matter was brought before Justice Guy early this month it was argued for Mrs. Gould that the record of the divorce court of Paris showed that Mr. Gould, at the time he obtained his decree, was domiciled in Tarrytown, N. Y., and staying temporarily in France.

In granting the order to-day Justice Guy said:

"In view of the fact that the Federal Court has held that a final judgment of a French court, even in a commercial case, is not conclusive but merely prima facie evidence of the merits, and that there has apparently been no decision by our State Appellate Courts to the contrary, the question presented on appeal from the order herein is of so novel a character that I am of the opinion this court not only has the power to grant but should grant a reasonable allowance for purposes of appeal."

BIG GAIN IN GERMAN EXCHANGE.
LONDON, Nov. 30.—Talk of a moratorium for Germany has resulted in improvement of exchange on the mark here, which dropped to 960 the pound sterling, compared with 1,100 yesterday. The business was mostly speculative.

JAPAN TO GIVE ACCEPTANCE ON NAVY NEXT WEEK

Nippon Knows Britain Wants
It and She Cannot Cause
Parley's Failure.

FAR EAST WORK FAST.

Conference Finds Japan Not
So Much of an Obstacle
There as Was Expected.

By David Lawrence.

(Special Correspondent of The Evening World.)

WASHINGTON, Nov. 30 (Copyright, 1921).—Enough has transpired within the last twenty-four hours to warrant a positive prediction that an agreement will be reached within another week on the programme for a reduction of naval armament and a naval shipbuilding holiday.

No longer is there worry about the outcome, prolonged as the debate may be. For the truth is the Japanese hand has been disclosed. It is the hand of Old World diplomacy which rarely accepts anything right off the bat but considers it carefully, asks for more, appears to be deeply insistent on more concessions and, finally, with a gesture of generosity, recedes in the interest of common agreement.

For several days the views of Baron Kato, Minister of Marine, have been put in one form or another, giving the impression that Japan was adamant in her desire for a higher ratio than the so-called 5-5-5. Now comes Prince Tokugawa, the head of the delegation, and in a talk with newspaper men, lays stress on the fact that Baron Kato was expressing his personal views.

This, however, isn't the only basis for the idea that Japan is prepared to make good her original acceptance of the Hughes programme. There are other signs beneath the surface which lead to the conclusion that Japan has decided she cannot be responsible for the breaking up of a naval armament agreement which the whole world hailed so auspiciously after the opening session. Japan knows, in other words, that Great Britain is ready to accept and will do so, and that even France will not quibble over the submarine tonnage figures, but will, at the psychological moment, withdraw her request for modification.

In the face of a European and American entente, Japan cannot afford to stand alone. She now knows the dangers which might ensue from too great insistence on her own viewpoint. She knows, for instance, that Secretary Hughes is not in a bargaining mood, and that if Japan means to alter the existing strength of the American and Japanese navies there will be no naval holiday and no reduction of armament.

The conference is having its ups

(Continued on Second Page.)

PRESIDENT SEES SENATE LEADERS

Executive Paving the Way for His
Message to Congress on
Tuesday Next.

WASHINGTON, Nov. 30.—President Harding began to-day what was understood to be the first of a series of conferences with Congressional leaders, particularly from the Senate, paving the way for the Executive's address to Congress next Tuesday, in which the legislative programme for the coming session will be outlined.

BLOOD-GIVING DRUG ADDICT GOES TO JAIL.

James Milo, twenty-seven, No. 225 Bowery, caught in a drug raid on Nov. 27, was to-day sent to the penitentiary from the Court of Special Sessions for four months for having heroin in his possession. Milo has on many occasions sold his blood for transfusion purposes and his name is on every hospital list in the city.

COMPLETE FAILURE OF IRISH PARLEY FORESEEN IN BRITAIN; ALLEGIANCE CAUSES BREAK

Renewal of Demand on Sinn Fein
Leads to Belief Negotiations Will
Collapse Immediately and That
Hostilities Will Be Resumed.

LONDON, Nov. 30 (Associated Press).—In Government circles to-day belief was expressed that the Irish Conference would break down almost immediately as a result of the difficulties which have arisen and that the resumption of armed hostilities could not be postponed.

The alternative settlement plan submitted by the Government to the Sinn Fein representatives last evening included the necessity for a definite undertaking by the Sinn Fein to take the oath of allegiance to the Crown.

The Sinn Fein has many objections to the Government's new plan, but even if it agreed to discuss this plan it will not now give its assent to the oath of allegiance proviso, it is stated.

Thus it appears, according to Government officials, that the breach in the negotiations, if it comes as is now feared, will take place over the allegiance issue.

There has been hope of prolonging the truce and adjourning the negotiations for an additional period of two months, but this hope has now faded.

Once the conference is broken off, it is felt in responsible quarters that it will be practically impossible to maintain the system of co-operation between the Government and the Irish Republican Army through liaison officers.

Then, too, the moment a breach occurs, it is believed in these quarters that there would be imminent danger of the Sinn Fein, on the one side, and the Police Auxiliaries, on the other, trying to get to their guns first. Men who have been "on the run" and who would become apprehensive of arrest, would take to the hills. It is assumed, and the truce arrangement, which have bound the Government forces not to pursue them would not survive such conditions.

The military, it is indicated, would be put in charge of affairs in Ireland and interference by Civilian officials with its activities would not be permitted.

A meeting of the Irish representatives in the Irish conference was held this morning. It was presided over by Prime Minister Lloyd George.

The initial impulse which brought about the conference between Lloyd George and other representatives of the British Empire and Eamon De Valera and other representatives of the Sinn Fein Government of Ireland was delivered by J. C. Smuts, Premier of the Union of South Africa. On a visit to England in the spring of this year he crossed over to Ireland and talked at length with De Valera and other Irish leaders. He also consulted with Lloyd George and opened the way to subsequent negotiations.

King Edward in a speech opening the United Parliament in June expressed the fervent hope that the Irish difficulty might be settled. Lloyd George took the next step by inviting De Valera and other Irish leaders to meet him informally in London. Three meetings of considerable length were held early in June and the situation was thoroughly canvassed.

On July 20, Lloyd George in a letter to De Valera submitted six proposals in outline as follows:

First—That the Royal Navy should control the seas about Ireland and Great Britain.

Second—That the Irish Territorial armed forces should, within reasonable limits, conform in respect of numbers to the military establishments of other parts of the British islands.

Third—That Ireland should afford Great Britain all necessary facilities.

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